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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 000507

SIPDIS

STATE FOR SA/INS
LONDON FOR POL/ERIEDEL
NSC FOR MILLARD

E.O. 12958: DECL: 03/19/2008

TAGS: [PINS](#) [PTER](#) [NE](#)

SUBJECT: NEPAL: MAOISTS POSTURING FOR CONSTITUENT ASSEMBLY

REF: KATHMANDU 480

Classified By: Ambassador Michael E. Malinowski for reasons 1.5 (d).

Summary
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[11.](#) (SBU) On March 19, the Ambassador met with Kul Chandra Gautam, Deputy Executive Director with UNICEF in New York, and a Nepali visiting the country for personal and professional reasons. Gautam related a conversation with the Maoists' second-in-command regarding the latter's desire for a constituent assembly and his expectations for the form it should take. Gautam's conversation is reflective of the Maoists' ongoing charm offensive, in which they are trying to project the image of a democratic party. As reported in reftel, however, there is no evidence the Maoists have abandoned their basic goal of gaining power in Nepal at the head of a communist, single-party state. End summary.

Content Is Less Important than Form
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[12.](#) (SBU) On March 19, the Ambassador met with Kul Chandra Gautam, Deputy Executive Director with UNICEF in New York, and a Nepali visiting the country out of personal and professional concerns. Gautam described his meetings with a range of political leaders, including phone calls with Maoist second-in-command, Baburam Bhattarai, about the political future of Nepal.

[13.](#) (C) According to Gautam, Bhattarai stated that the process for resolving Nepal's conflict is as important as the content of the final resolution. Even if the King issued a "progressive" constitution, in doing so he would undermine the people's sovereignty, Bhattarai argued. Gautam reported Bhattarai's contention that resolution of Nepal's domestic conflict can come only through a constituent assembly. Bhattarai claims the Maoists are on a winning streak. However, the Maoist leadership cannot satisfy the demands of its cadres with promises of only amendments to the present constitution. For Maoist leaders to satisfy their followers, they must persuade the government to accede to a sovereign constituent assembly. (Note: The term "sovereign" was not defined during the discussion and could refer either to the people's sovereignty as defined by the existing constitution or to an agreement that the conclusions of the constituent assembly have sovereign status.)

Maoists as Supposed Defenders of Democracy?
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[14.](#) (C) As reported by Gautam, Bhattarai expects elections to be held for representation to a constituent assembly. During the campaign, all parties, including the Maoists, should be allowed to compete on their respective platforms. For the Maoists, this includes calling for the establishment of a communist republic. Bhattarai, according to Gautam, stated that if the Maoists' vision is not accepted by the people during the constituent assembly elections, they will abide by the will of the people. Gautam's own opinion is that all parties should contest constituent assembly elections because that mechanism would either resolve the conflict through democratic means or serve to "call the Maoists's bluff."

Comment
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[15.](#) (C) The conversation related by Gautam appears to reflect part of an ongoing charm offensive by the Maoists to improve their stature as a legitimate political party--a strategy made necessary by their loss of public support due to their violent excesses over the past year. Gautam's contact with Bhattarai provides insight into the Maoists' political strategy, particularly in light of evidence that they continue to pursue their fundamental goal of the creation of a communist republic (reftel). Bhattarai's promise to abide by the electorate's free choice of delegates to a constituent assembly is credible only as a tactic to curry favor among political party leaders, human rights advocates, and the international community. By reaching out to political parties, in particular, the Maoists may hope to muster enough

support in a constituent assembly to engineer a new constitution that would marginalize the monarchy and make the army susceptible to Maoist infiltration and eventual control.
MALINOWSKI